

From: James W. Riley  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, Delaware 19977

To: Judge Gregory M. Sleet  
U.S. District Court  
844 N. King St., Lockbox 19  
Wilmington, Del. 19801-3510

June 11, 2008

Re: Riley v. Taylor, et al.,  
Civil Action No. 06-01-GMS  
(Scheduling Order Is Void; Schedule Case For Trial)

Dear Judge Sleet,

Plaintiff is still alive - Praises are due to Yahweh,  
my Protector & Rieverger!!

The defendants in this case have willfully defaulted  
on all discovery responses in connection with plaintiff's  
requests for production of documents. Plaintiff's last  
Motion For Production Of Documents was filed in this  
court dated March 20, 2008. Plaintiff have the total  
of seven (7) outstanding motions and correspondences  
pending before the Court relating to the discovery of  
documents of all defendants failure to provide the  
plaintiff any medical treatment.

For the record, this is to inform the Court that  
After four (4) unsuccessful attempts to persuade

her boss defendant CMS, A doctor Louis Derosiers finally got approval to have plaintiff examined by an outside Specialist for his rectal dysfunction. After 6 - years of complaining and suffering plaintiff was examined by a qualified Specialist on April 15, 2008, who recommended that surgery is necessary to fix the problem. The Specialist further recommended that a Colonoscopy be done prior to surgery.

On June 9, 2008, plaintiff was transported to a Medical Center in Dover, Delaware for the colonoscopy procedure, but the doctor refused to perform the procedure because defendant CMS Medical Staff failed to flush-out plaintiff's colon of any waste in preparation for the colonoscopy, a procedure, Your Honor, probably had done within the past several years due to your age and risk group.

Defendant CMS incompetency (or willful failure) to perform a simple pre-colon cleansing for the colonoscopy procedure is delaying the actual surgery plaintiff needed since 2002, to repair his rectum disorder. ( See attached hereto the Sick Call Complaint Plaintiff filed with the Medical Staff following his return from the Medical Center and CMS Memo Notification for Colonoscopy Appointment).

The Court's September 26, 2007  
Scheduling Order Is Void

The Court's Scheduling Order is now void! No Summary Judgment Motions were filed by either party pursuant

to paragraph 5 of the Scheduling Order.

The only pleading that comes close to a request for summary judgment is set forth in plaintiff's "Motion To File The Attached Medical Document" (See D.I. #94).

No further discovery is needed. Plaintiff can simply subpoena the doctors who treated him to trial and direct them to bring any relevant medical records with them.

The Court shall schedule this case for trial without further delay. Plaintiff must have his medical conditions surgically repaired before his release from prison.

Thank You!  
James W. Riley  
Plaintiff

cc:

Ophelia M. Waters, Esq.

Kevin J. Connors, Esq.

w/ attachments

**DELAWARE DEPARTMENT OF CORRECTIONS**  
**REQUEST FOR MEDICAL/DENTAL SICK CALL SERVICES**  
**FACILITY: DELAWARE CORRECTIONAL CENTER**  
This request is for (circle one): **MEDICAL** **DENTAL** **MENTAL HEALTH**

James Riley  
Name (Print)

SHU Bldg. 19 C-L-8

Housing Location

8/14/60  
Date of Birth

169716  
SBI Number

June 9, 2008  
Date Submitted

Complaint (What type of problem are you having)? Today, 6/9/08, I went for a colonoscopy procedure but the doctor refused to perform the procedure because CMS medical staff failed to minister prep medicine to flush out my colon. However, if laxative medications will cause me to have multiple bowel movements which will result in massive swelling of my rectum. Each bowel movement intensify the swelling & pain, and the swelling will last over 24 hours or longer. So the hemorrhoidal surgery should be done before the colonoscopy. Please schedule me to see the doctor soon as possible.  
(Can the colonoscopy be done while my bowels are inflamed & swollen?)

James Riley  
Inmate Signature

6/9/08  
Date

**The below area is for medical use only. Please do not write any further.**

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O: Temp: \_\_\_\_\_ Pulse: \_\_\_\_\_ Resp: \_\_\_\_\_ B/P: \_\_\_\_\_ WT: \_\_\_\_\_

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A:

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P:

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E:

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Provider Signature & Title

Date & Time

The colonoscopy is delaying the surgery  
needed for 6 years

# Memorandum

To: *Infirmary*

From: Mallory

/ Consult Clerk

Date: 6/16/08

Re: **NPO**

NAME: James Riley

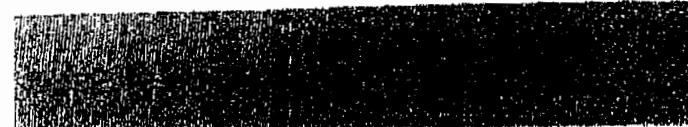
169716

SEARCHING UNIT: 17- CL - 8

**NPO AFTER MIDNIGHT**

Appointment Date: 6/9/08 @ 1730

Reason for Appt. Colon



1

6/8/08 - copy being on cell flap C 2210

I/M James Riley  
SBI# 1546 UNIT SWU Bldg. 11  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977

Judge Gregory M. Sleet  
U.S. District Court, Lockbox 19  
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1980-3520

